

REMARKS

Claim 1 has been amended to recite that the metal other than alkali metals is selected from the group consisting of V, Cr, Mn, Fe, Co, Ni, Cu, Zn, and Ag. Support for this amendment can be found at, for example, original claim 3.

Claim 3 is canceled.

Claim 4 is added to recite (d) a complex of an alkali metal and a metal other than alkali metals and ethylenediaminetetraacetic acid, or a complex of a metal other than alkali metals and diethylenetriaminepentaacetic acid. Support for this claim can be found at, for example, Table 1 for Examples 1-7 on page 16 of the present specification.

Upon entry of the above Amendment, which is respectfully requested, claims 1, 2, and 4 will be pending.

At Paragraph No. 4 of the Action, claims 1-3 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over "Catena" (U.S. Patent 5,256,450) in view of "Reich" (U.S. Patent 5,350,783) for reasons of record and based on comments incorporated into the Response to Arguments section.

Applicant respectfully submits that the cited references do not teach or suggest present claim 1 or claim 2, which depends from claim 1. For example, neither Reich nor Catena teach or suggest that the metal other than alkali metals is selected from the group consisting of V, Cr, Mn, Fe, Co, Ni, Cu, Zn, and Ag. Further, there is no teaching, suggestion, motivation, or other reason to modify the complex of Catena with these metals, because although Reich may suggest that non-oxidizing metal may be used for the complex of Catena, the metals recited in present claim 1 are considered non-oxidizing metals by Reich. See for example, col. 4, lines 63-67 and col. 6,

lines 27-33 of Reich. Therefore, the presently claimed invention is nonobvious over Catena in view of Reich.

Claim 3 has been canceled, which renders this aspect of the rejection moot.

Reconsideration and withdrawal of the § 103 obviousness rejection are respectfully requested.

Regarding new claim 4, Applicant respectfully submit that this claim is patentable, because, for example, Catena in view of Reich does not teach or suggest an alkali metal and a metal other than alkali metals that form a complex with ethylenediaminetetraacetic acid.

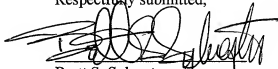
In addition, the composition of claim 4 shows unexpectedly superior results over comparative compositions that are as close as or closer than the closest cited prior art. For example, in a comparison of Examples 1-14 against Examples 15-19, Examples 1 and 2 comprising both an alkali and non-alkali metal, exhibit unexpectedly superior results over Examples 15-19, which have only one metal, because Examples 1 and 2 show a combination of adhesion strength and setting time that are better than those for Examples 15-19.

Therefore, claim 4 is patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brett S. Sylvester', with a long horizontal flourish extending to the left.

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